

Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.



Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS:

Planning Application Number: 23/00346/REM

Highway Reference Number: 2023/0346/04/H

Application Address: Cornerfields Nutts Lane Hinckley Leicestershire LE10 3EG

Application Type: Reserved Matters

Description of Application:

Approval of reserved matters (appearance, landscaping, layout and scale) of Outline Planning Permission 20/01289/OUT for residential development of up to 9 dwellings

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: C/O Agent

County Councillor: Cllr David Bill MBE

Parish: Hinckley

Road Classification: Adopted Unclassified

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been consulted on a Reserved Matters application of outline (access) application reference 20/01289/OUT for a residential development of up to nine dwellings at Cornerfields, Nutts Lane, Hinckley. Appearance, landscaping, layout and scale are to be determined as part of this application.

Internal Layout

Details of the internal layout are provided on TUK architecture drawing number 0821-101-P06 Rev B.

The acceptability of an adopted road layout is subject to a Section 38 agreement in accordance with the Highways Act (1980). In order for the site to be suitable for adoption, the internal layout must be designed fully in accordance with the Leicestershire Highway Design Guide ([LHDG] available at <https://resources.leicestershire.gov.uk/lhdg>). Based on the Design, Access & Planning Statement (dated April 2023), the LHA believe the internal layout of the site is to remain private. The internal layout has therefore not been reviewed in detail in terms of its adoptability, however the LHA can advise it is not designed to an adoptable standard and therefore will not be considered for adoption.

The proposals consist of four x four-bed dwellings, four x three-bed dwellings and one x two-bed bungalow. The LHA has reviewed the parking/ garage provision for each plot in accordance with Part 3, paragraphs 3.151, 3.165 and 3.200 of the LHDG and can advise the following:

- The garage dimensions for Plots 3, 5, 6, 7 and 8 are below the minimum dimensions stated within Paragraph 3.200 of the LHDG and therefore cannot be considered to be usable parking spaces. As such, these plots are short of one parking space each in respect of the number of proposed bedrooms within each plot. The LHA considers all other parking/ garage provision to be acceptable.
- While a number of plots lack one parking space each, the LHA advise that on the basis the proposed dwellings would be on to a private road and are some distance from the adopted highway (Nutts Lane) that it would not seek to resist the proposals. The LHA consider it is unlikely residents within the development would need to park on Nutts Lane.
- The LHA consider that adequate turning provision appears to be available within the site.
- While not a material consideration for the LHA, the Applicant may wish to consider how refuse collection would be undertaken from the site, as there could be a considerable walk for residents if this was to be undertaken from the public highway.

Condition

1. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with TUK architecture drawing number 0821-101-P06 Rev B. Thereafter the onsite parking and turning provision shall be kept available for such uses in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

Informative

- Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
- The proposed road layout does not conform to an acceptable standard for adoption and therefore it will not be considered for adoption and future maintenance by the Local Highway Authority. The Local Highway Authority will, however, serve Advance Payment Codes in respect of all plots served by (all) the private road(s) within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please note that the Highway Authority has standards for private roads which will need to be complied with to ensure that the Advanced Payment Code may be exempted and the monies returned. Failure to comply with these standards will mean that monies cannot be refunded. For further details please email road.adoptions@leics.gov.uk. Signs should be erected within the site at the access advising people that the road is a private road with no highway rights over it.
- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

Date Received
27 April 2023

Case Officer
Ben Dutton

Reviewer
DH

Date issued
15 May 2023